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GENERAL ASSEMBLY
Forty-sixth session
Items 29 and 68 of the preliminary list*
THE SITUATION IN AFGHANISTAN AND ITS IMPLICATIONS FOR INTERNATIONAL PEACE AND SECURITY
REVIEW OF THE IMPLEMENTATION OF THE DECLARATION ON THE STRENGTHENING OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Forty-sixth year

Letter dated 16 May 1991 from the Chargé d'affaires a.i. of the Permanent Mission of Afghanistan to the United Nations addressed to the Secretary-General

I have the honour to transmit to you a letter dated 16 May 1991 from His Excellency Mr. Abdul Wakil, Minister for Foreign Affairs of the Republic of Afghanistan, addressed to you (see annex).

I have further the honour to request that the text of the present letter and its annex be circulated as an official document of the General Assembly, under items 29 and 68 of the preliminary list, and of the Security Council.

(Signed) Mohammad E. ROSHAN-RAWAAN
Chargé d'affaires a.i.

* A/46/50.

READEX FICHE

ANNEX

Letter dated 16 May 1991 from the Minister for Foreign Affairs of Afghanistan to the Secretary-General

In pursuit of my previous letters addressed to you and in reference to the fruitful meeting that I recently held with you in New York, I should like to draw your attention to yet another clear instance of the warmongering policy of the Pakistani militarist authorities, the purpose of which is to prolong the bloodshed, to deteriorate further the situation in our country and to hinder the process of political settlement of the Afghan question.

According to authentic information, several Pakistani commandos dressed in Afghan clothes, along with the Pakistani tank and artillery forces and with the collaboration of the extremist groups of the Afghan opposition stationed in that country, entered into the territory of the Republic of Afghanistan in Kandahar province and conducted armed activities.

The adventurous deeds of Pakistan, particularly the recent aggression on the Afghan territory by military forces of that country, proves the fact that the statements made by some Pakistani authorities on cooperating in the expeditious settlement of the Afghan problem is nothing but empty words. Indeed, Pakistani militarist and adventurist authorities pursue their plans aimed at keeping the situation tense.

Pakistan has not only ignored, from the very first days of the conclusion of the Geneva Agreements, as well as the Declaration on the Relation between States of 24 October 1970 and the Declaration on the Unlawfulness of Interference in the Internal Affairs of Other States of 9 December 1981, but it has, on many occasions, undertaken aggression against the independence, national sovereignty and territorial integrity of Afghanistan.

Since we are now observing the signs of aggression by Pakistani militarists against the ancient province of Kandahar, I wish once again to draw your attention to the dangerous consequences of this aggression, which not only takes the lives of innocent people and causes further destruction of our war-torn country, but also gravely endangers peace and security in the region.

I request you to utilize your prestige and possibilities to draw Pakistan's attention to its commitments arising from the Geneva Agreements, the resolutions of the forty-fourth and forty-fifth sessions of the United Nations General Assembly, the Charter of the United Nations and the principles of international law and thus prevent the Pakistani interference and intervention in the affairs of the Republic of Afghanistan.

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GENERAL ASSEMBLY
Forty-sixth session
Item 30 of the preliminary list*
COOPERATION BETWEEN THE UNITED NATIONS
AND THE ORGANIZATION OF AFRICAN UNITY

SECURITY COUNCIL
Forty-sixth year

Letter dated 16 May 1991 from the Permanent Representative of Ghana to the United Nations addressed to the Secretary-General

On the instructions of my Government, I have the honour to forward herewith a copy of the statement issued by the Government of Ghana on 10 May 1991 on the report of the National Commission for Democracy, entitled "Evolving a True Democracy" (see annex), and to request you to circulate it as an official document of the General Assembly under item 30 of the preliminary list, and of the Security Council.

(Signed) Kofi N. AWOONOR
Ambassador and
Permanent Representative

* A/46/50.

ANNEX

Statement issued by the Government of Ghana, on 10 May 1991, on the report of the National Commission for Democracy, entitled "Evolving a True Democracy"

1. On 25 March 1991, the National Commission for Democracy presented to the Government its report entitled "Evolving a True Democracy".

2. The report summarizes the work of the National Commission for Democracy as the body set up in 1982 to perform the dual functions of an electoral commission and also to assist in developing a programme for a more effective realization of democracy in Ghana. The National Commission for Democracy also played a major part in the establishment of district assemblies and their sub-structures as the institutional framework for decentralized administration and development, and has been providing a framework for increased and effective civic and political education.

3. The consultative processes engaged in by the National Commission for Democracy climaxed by the regional seminars on "District Assemblies and the evolving democratic process" led to the articulation by Ghanaians of all walks of life of their major concerns for the future governance of the country. These concerns are enumerated in the chapter of the National Commission for Democracy report on "Main issues for consideration by the Consultative Assembly".

4. The main issues include human rights, particularly workers' rights, women's rights, children's rights, and the rights of the handicapped. They also include the basic freedoms of speech, of conscience, of assembly and association, freedom from arbitrary arrest and detention and from invasion of privacy.

5. The report of the National Commission for Democracy addressed issues of representation and the need for ensuring that language is not a barrier to genuine popular participation in government.

6. Accountability and responsibility are both stressed in the report, the former by insisting that a code of conduct for high office holders be included in the next constitution, and the latter by suggesting that aspiring office holders must have fulfilled all their tax obligations, and also that specific constitutional duties be imposed on national assemblymen and high political office holders.

7. The report noted that Ghanaians see the existence of political parties as an expression of the fundamental freedom of association, but that the operation of future political parties should be shorn of the excesses and iniquities of the past. It is proposed that provision be made in the constitution to guard against such abuses.

8. A wide-ranging set of issues are put on the agenda for the Consultative Assembly by the National Commission for Democracy, including also the nature, functions and power of the various organs of State, such as the National Assembly, the Executive, the Judiciary and the Security Agencies, and a re-examination of our citizenship laws. A strengthened Ombudsman as a more functional agency in the redress of executive and administrative excesses and of maladministration at both national and district levels is discussed.

9. The report of the National Commission for Democracy further identifies positive achievements already made in the area of participatory democracy, but which require to be constitutionally underwritten in the new framework of national administration. These include participatory democracy at the local level, represented by the district assemblies and their sub-structures, decentralized administration for development, revenue-sharing between central government and local authorities, accountability of candidates and elected officials to their electorate both before and after elections, with the possibility of recall in case of default, as well as a framework for monitoring and assessing the performance of elected officials.

10. The government has studied the report and accepts the various views expressed as the embodiment of the aspirations of Ghanaians on the future constitutional order, and will accordingly submit the report to the Consultative Assembly as one of the major source documents for its deliberations.

11. The government will formulate constitutional proposals to be placed before the Consultative Assembly, which will reflect the concerns that have been articulated in the report. Accordingly, the government has decided to set up a Committee made up of constitutional experts which will begin to formulate these proposals. The Committee will be under the Chairmanship of Dr. S. K. B. Asante, a former Solicitor-General and currently a Director of the United Nations Centre on Transnational Corporations. The services of the Committee will also be available to the Consultative Assembly.

12. The constitutional proposals will make provision for freedom of association, including the formation of political parties. There will also be provision for independent candidates. Although during the consultative processes of the National Commission for Democracy there was a substantial body of opinion expressing concern about the past conduct of political parties, the report of the National Commission for Democracy points the way to making constitutional provisions to guard against such abuse. Ultimately, it will be the responsibility of all Ghanaians to ensure the proper functioning of any institutions that are provided for under the constitution.

13. The constitutional proposals will make provision for an Executive President to be elected on the basis of universal adult suffrage. Provision will also be made for a Prime Minister who must command a majority in the National Assembly. Elections to the National Assembly will also be on the basis of universal adult suffrage.

14. As the need for national consensus on critical national issues has been highlighted by the report of the National Commission for Democracy, the proposals will embody forms of cooperation between political parties, National Assembly members and other institutions to define in an ongoing manner the areas of consensus on which partisan considerations can be muted in the supreme interest of the nation.

15. In this regard, the proposals will provide for certain institutions and constitutional functions to remain above partisan politics. Such institutions and functions must include the judiciary and the military. The proposals will also make provision for other areas of non-partisanship, in which persons will serve without reference to party affiliation. Such institutions can provide a context in which chiefs, elder statesmen, military personnel, etc. can contribute their views to deliberations on national affairs in a manner that transcends partisan consideration. The exact form of such institutions will require detailed consideration in the Consultative Assembly.

16. The report of the National Commission for Democracy indicates consensus that District Assembly elections continue to be held on a non-party basis, with candidates standing on their individual merit and not under the sponsorship of a political party. The constitutional proposals will reflect this consensus and will clarify the relationship between the functions of the District Assembly and the National Assembly.

17. The constitutional proposals will also reflect the following:

(a) A commitment to fundamental human rights and basic freedom, including workers' and trade union rights, women's rights, including the rights of widows provided for in the interstate succession law. Children's rights, especially against child abuse, the rights of the handicapped and disadvantaged minorities, freedom of speech, freedom from arbitrary arrest and detention and from invasion of privacy, and freedom of assembly and association. In addition, there should be a mechanism in the constitution for the enforcement and protection of these fundamental liberties;

(b) Constitutional guarantees of the legal-aid system, and the office of the Ombudsman;

(c) A free independent and incorruptible judiciary;

(d) The freedom and independence of the media;

(e) A decentralized system of national administration, based on a virile local-government system, with development as its objectives and including revenue-sharing clauses;

(f) A commitment to equal and balanced development in the allocation of national resources and in the distribution of the national wealth.

18. The report of the National Commission for Democracy touched briefly on the importance of the economic foundations for evolving a true democracy. It is perhaps unfortunate that the report considered the issue of the economy as not strictly within the mandate of the Commission and therefore did not elaborate on this. There is no doubt that the continued improvement of the national economy is a necessity for ensuring the stability of the new constitutional order. There can also be no doubt that the modest but important gains that have been made in the economy would need to be consolidated and the directions of the economic recovery programme continued in order to enable further improvements to be made in the lives of ordinary people. Accordingly, as has been exemplified many times in many Western democracies, in times of national crisis and transition, a national consensus must be developed regarding the direction of economic growth. This will ensure that Ghana continues to receive the much needed assistance from the international community in the pursuit of our national reconstruction. Accordingly, the pertinent issues relating to the national economy and measures to sustain and enhance it will be placed before the Consultative Assembly for deliberation.

19. A law establishing the Consultative Assembly will be published next week and the Consultative Assembly will begin its deliberations in July this year.

20. The Consultative Assembly will be composed of elected representatives of district assemblies, identifiable bodies and appointed persons in accordance with previous practice in 1968 and 1978.

21. In accordance with such practice, the government recognizes that the process of constitutional deliberation should be non-partisan and, therefore, the ban on political parties will remain for the time being.

22. The draft constitution will be submitted to the people of Ghana for their approval in a national referendum.

23. As part of the arrangements towards the new constitutional order and in the light of the recommendations made in the report of the National Commission for Democracy, the Government will take steps to reorganize and reconstitute the Commission in order to enable it to discharge fully its electoral as well as its civic education functions.

24. The success of our democratic processes will depend on the mature conduct of all Ghanaians. To establish a solid basis for constitutional democracy that can stand the test of time we must all take lessons from the past and work in the national interest to achieve our national aspirations.

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GENERAL ASSEMBLY
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Item 35 of the preliminary list*
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-sixth year

Letter dated 17 May 1991 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to inform you of the following:

At a time when Lebanon is beginning to recover from the bloody events and the destructive wars which lasted more than 15 years, and while the Government of national entente continues to spare no effort to extend its legal authority throughout Lebanese territory - in this way the militias have just been disarmed and the army has been deployed in extensive areas of Lebanon, Israel is carrying out large-scale military manoeuvres in the eastern sector of the occupied Lebanese territory known as the "frontier strip", and is doing so with the participation of troops from the "Army of Southern Lebanon", which Israel created and uses in the areas under its occupation.

Yesterday, Israel deployed more than 40 tanks, 4,000 soldiers and heavy artillery batteries (155 mm) in order to carry out these manoeuvres, confirming once again its obstinate intention to continue its policy of aggression against Lebanon and occupy part of Lebanese territory.

Under current conditions, such schemes constitute unjustified provocation and blatant interference in the internal affairs of Lebanon aimed at impeding the rescue operation under way and thwarting the efforts by the Lebanese Government to implement the Taif Agreement on national conciliation and extending the authority of the State throughout the national territory.

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* A/46/50.

Israel is thus attempting to block the implementation of Security Council resolution 425 (1978).

In drawing attention to the aggressive and repeated acts by Israel, the Lebanese Government reaffirms that the Secretariat and the international community must continue their efforts to induce Israel to withdraw from Lebanese territory in accordance with Security Council resolution 425 (1978) and put an end to the totally abnormal situation in Southern Lebanon, which threatens peace and stability in Lebanon and in the region.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under item 35 of the preliminary list, and of the Security Council.

(Signed) Kkalil MAKKAWI
Ambassador
Permanent Representative

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GENERAL ASSEMBLY
Forty-sixth session
Item 35 of the preliminary list**
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-sixth year

Letter dated 17 May 1991 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to inform you of the following:

At a time when Lebanon is beginning to recover from the bloody events and the destructive wars which lasted more than 15 years, and while the Government of national reconciliation is sparing no effort to extend its legitimate authority throughout Lebanese territory - as the militias have just been disarmed and the army has been deployed in extensive areas of Lebanon - Israel is carrying out large-scale military manoeuvres in the eastern sector of the occupied Lebanese territory known as the "buffer zone", in conjunction with troops from the so-called "South Lebanon Army", created and used by Israel in the areas under its occupation.

Yesterday, Israel deployed more than 40 tanks, 4,000 soldiers and heavy artillery batteries (155 mm) in order to carry out these manoeuvres, confirming once again its determination to continue its policy of aggression against Lebanon and occupy part of Lebanese territory.

In the current circumstances, such Israeli operations constitute an unjustified provocation and a blatant interference in the internal affairs of Lebanon aimed at impeding the ongoing process of national salvation and

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* Reissued for technical reasons.

** A/46/50.

thwarting the efforts by the Lebanese Government to implement the Taif Agreement on national reconciliation and to extend the authority of the State throughout the national territory. In particular, such operations aim at preventing the implementation of Security Council resolution 425 (1978).

In drawing attention to the aggressive and repeated acts by Israel, the Lebanese Government reaffirms the need for the Secretariat and the international community to continue their efforts to induce Israel to withdraw from Lebanese territory in accordance with Security Council resolution 425 (1978) and put an end to the totally abnormal situation prevailing in southern Lebanon, which threatens peace and stability in Lebanon and in the region.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under item 35 of the preliminary list, and of the Security Council.

(Signed) Khalil MAKKAWI
Ambassador
Permanent Representative

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Security Council

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S/22613
20 May 1991

ORIGINAL: ENGLISH

Belgium, France, Romania, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Zaire: draft resolution

The Security Council,

Recalling its resolutions 674 (1990) of 29 October 1990, 686 (1991) of 2 March 1991 and 687 (1991) of 3 April 1991, concerning the liability of Iraq, without prejudice to its debts and obligations arising prior to 2 August 1990, for any direct loss, damage, including environmental damage and the depletion of natural resources, or injury to foreign Governments, nationals and corporations, as a result of Iraq's unlawful invasion and occupation of Kuwait,

Taking note of the Secretary-General's report of 2 May 1991 (S/22559), submitted in accordance with paragraph 19 of resolution 687 (1991),

Acting under Chapter VII of the Charter of the United Nations,

1. Expresses its appreciation to the Secretary-General for his report of 2 May 1991 (S/22559);

2. Welcomes the fact that the Secretary-General will now undertake the appropriate consultations requested by paragraph 19 of resolution 687 (1991) so that he will be in a position to recommend to the Security Council for decision as soon as possible the figure which the level of Iraq's contribution to the Fund will not exceed;

3. Decides to establish the Fund and the Commission referred to in paragraph 18 of resolution 687 (1991) in accordance with section I of the Secretary-General's report and that the Governing Council shall be located at the United Nations Office at Geneva and that the Governing Council may decide whether some of the activities of the Commission should be carried out elsewhere;

4. Requests the Secretary-General to take the actions necessary to implement paragraphs 2 and 3 above in consultation with the members of the Governing Council;

5. Directs the Governing Council to proceed in an expeditious manner to implement the provisions of section E of resolution 687 (1991), taking into account the recommendations in section II of the Secretary-General's report;

6. Decides that the requirement for Iraqi contributions will apply in the manner to be prescribed by the Governing Council with respect to all Iraqi petroleum and petroleum products exported from Iraq after 3 April 1991 as well as such petroleum and petroleum products exported earlier but not delivered or not paid for as a specific result of the prohibitions contained in Security Council resolution 661 (1990);

7. Requests the Governing Council to report as soon as possible on the actions it has taken with regard to the mechanisms for determining the appropriate level of Iraq's contribution to the Fund and the arrangements for ensuring that payments are made to the Fund, so that the Security Council can give its approval in accordance with paragraph 22 of resolution 687 (1991);

8. Requests that all States and international organizations cooperate with the decisions of the Governing Council taken pursuant to paragraph 5 of the present resolution, and also requests that the Governing Council keep the Security Council informed on this matter;

9. Decides that, if the Governing Council notifies the Security Council that Iraq has failed to carry out decisions of the Governing Council taken pursuant to paragraph 5 of the present resolution, the Security Council intends to retain or to take action to reimpose the prohibition against the import of petroleum and petroleum products originating in Iraq and financial transactions related thereto;

10. Decides also to remain seized of this matter and that the Governing Council will submit periodic reports to the Secretary-General and the Security Council.

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S/22614
17 May 1991

ORIGINAL: ENGLISH

Plan for the implementation of relevant parts of section C of Security Council resolution 687 (1991)

Report of the Secretary-General

Introduction

1. The present report is submitted in pursuance of Security Council resolution 687 (1991) of 3 April 1991. In paragraph 9 (b) of that resolution, the Council decided that the Secretary-General, within 45 days of the adoption of the resolution, should develop and submit to it for approval a plan calling for the completion of the tasks enumerated in paragraphs 9 (b) (i to iii) and 10.

2. For the purpose of developing this plan, consultations were held with appropriate Governments, as called for in paragraphs 9 (b) and 13 of the resolution, and, where appropriate, with the Director General of the International Atomic Energy Agency (IAEA) and the Director-General of the World Health Organization (WHO). Furthermore, in order to assess the information submitted by the Government of Iraq and to assist me in developing the plan for the implementation of the tasks enumerated in section C of the resolution, I set up a Special Commission as described in my report of 18 April 1991 to the Security Council (S/22508), which the Council accepted on 19 April.

3. I appointed 21 experts as members of the Special Commission. I have requested Ambassador Rolf Ekeus (Sweden) to serve as its Executive Chairman and Dr. Robert Gallucci (United States of America) to serve as its Deputy Executive Chairman. The other members of the Special Commission are as follows: Dr. Paal Aas (Norway), Lieutenant General (ret.) Ken Adachi (Japan), Professor B. N. C. Agu (Nigeria), Lieutenant-Colonel Andrzej Badek (Poland), Professor Bryan C. Barrass (United Kingdom of Great Britain and Northern Ireland), Mr. Peter von Butler (Germany), Colonel Armando Caputo (Italy), Mr. Ronald Cleminson (Canada), Dr. John Gee (Australia), Professor Helmut Hönig (Austria), Mr. B. A. Kuvshinnikov (Union of Soviet Socialist Republics), Dr. A. J. J. Ooms (Netherlands), Dr. Marjatta Rautio (Finland),

Mr. Michel Saint Mleux (France), Mr. Roberto Sanchez (Venezuela), Lieutenant Colonel B. Simandjuntak (Indonesia), Dr. Miroslav Splino (Czechoslovakia), Mr. Emile Vanden Bemden (Belgium), Dr. Yuan Renfeng (China).

4. In order to enable the Special Commission as well as IAEA to discharge their responsibilities properly, a number of technical arrangements are being made to facilitate their work. They include the establishment of a field operations office and a support office. After consultations with the Governments concerned, the Field Operations Office is being set up in Bahrain. The Office will become fully operational by the end of May 1991. The Support Office is being established at Baghdad, Iraq.

I. THE PLAN

5. The provisions of section C of resolution 687 (1991) lend themselves to a three-stage implementation procedure: gathering and assessment of information; disposal of weapons and facilities and all other items specified in paragraphs 8 and 12 of resolution 687 (1991); and monitoring and verification of Iraq's compliance in the future.

A. Gathering and assessment of information

6. The first stage of the plan is of crucial importance for the success of the entire operation. It requires input from both the Iraqi Government and the Special Commission. Pursuant to paragraphs 9 (a) and 12, Iraq is responsible for the submission, within fifteen days of the adoption of the resolution, of information on the locations, amounts and types of all items specified in paragraphs 8 and 12, which are to be destroyed, removed or rendered harmless. The Special Commission, pursuant to paragraphs 9 (b) (i) and 13, is responsible for designating any additional locations of these items in Iraq. In carrying out the immediate on-site inspections envisaged in paragraphs 9 (b) (i) and 13 of the resolution, the Special Commission and IAEA respectively must retain the right to choose the timing and locations of the inspection.

7. On 18 and 28 April and 4 May 1991, the Government of Iraq forwarded to the Secretary-General information relating to its chemical and biological weapons and ballistic missiles. On 18 April, the Government of Iraq also forwarded to the Director General of IAEA information of relevance to the responsibilities entrusted to the Agency as stated in paragraphs 12 and 13 of resolution 687 (1991). Further information was communicated to the Agency on 27 April. In communications both to the Secretary-General and the Director General, the Government of Iraq also conveyed its acceptance of on-site inspections as called for in paragraphs 9 (a) and 12. There has also been a continued exchange of communications between the Special Commission and the Government of Iraq with a view to obtaining additional information and clarifications.

8. Based on the information received so far from the Iraqi authorities, as well as taking into account additional locations designated by the Special Commission, the process of on-site inspections by the Special Commission and IAEA has been initiated. In the course of the inspections, the Special Commission will check the information that has been gathered earlier against the actual situation in the field (i.e. establishing a database); assess the magnitude of the task of disposal of weapons and facilities that it will perform in the second stage of the plan; and determine, with the advice of WHO, the requirements and modalities for carrying it out. The Special Commission is also rendering assistance and cooperation to the Director General of IAEA in connection with on-site inspections for which the Agency is responsible.

9. The on-site inspections to be carried out by both the Special Commission and IAEA cover a large number of sites with different numbers of facilities at each site. For the purpose of ensuring safe access to sites subject to the measures specified in paragraphs 9 (b), 12 and 13 of resolution 687 (1991), teams of explosive ordnance disposal (EOD) experts, construction engineers and security personnel have been engaged to assist the Special Commission and IAEA in the process of carrying out the on-site inspections. The safety of all such personnel is a major consideration. Detailed arrangements covering these and related aspects and governing the precise modalities for carrying out the inspections are embodied in an agreement between the United Nations and the Government of Iraq. The volume of work as well as the physical state of the various objects, installations and facilities subject to inspection, and the paramount concern regarding the safety of the inspection teams and the local population, make it difficult to establish, at the present stage, the exact time-frame within which the first stage can be concluded. Early assessments of the tasks involved make it possible, nevertheless, to outline the general framework of the second stage of the plan, which is described below.

B. Disposal of weapons and facilities

10. The main purpose of the second stage of the plan, as specified in paragraphs 8, 9 and 13 of resolution 687 (1991), is to dispose of weapons, facilities and all other items specified in paragraphs 8 and 12 of the resolution. Owing to the highly different nature of the weapons, material and facilities involved, separate procedures are envisaged for their actual disposal, with different teams of experts carrying them out.

11. Regarding chemical weapons and biological weapons-related items and facilities, technical modalities are being worked out with a view to ensuring the complete and safe yielding of possession by Iraq of all items referred to in paragraph 8 (a) of the resolution, for their subsequent destruction, removal or rendering them harmless. Regarding ballistic missiles, procedures

for the identification and securing of all items referred to in paragraph 8 (b) of the resolution are being developed with a view to ensuring the supervision of their complete destruction by Iraq. The Special Commission will further assist and cooperate with IAEA in carrying out inspections and in the destruction, removal or rendering harmless of all items referred to in paragraph 12 of the resolution.

12. As far as the disposal process itself is concerned, Iraq will destroy, under the supervision of the Special Commission, all its missile capabilities, including launchers, as specified under paragraph 8 (b) of resolution 687 (1991). The Special Commission and IAEA respectively, with appropriate Iraqi assistance, will dispose of all other items specified under paragraphs 8 (a) and 12 of the same resolution, including missile warheads fitted with chemical warfare agents. It should be noted that under the resolution the Special Commission has the authority to conduct activities related to inspection, yielding and disposal of the items specified in paragraph 8 (a) of the resolution and the inspection and disposal of the items specified in paragraph 8 (b) of the resolution after the expiration of the 45-day period that follows the approval of this plan, if such activities have not been completed.

1. Ballistic missiles

13. The disposal of ballistic missiles and related items and facilities raises a relatively smaller number of problems as compared to other types of weapons and facilities. In principle, their disposal should not pose any danger to public safety as it involves a largely mechanical operation. Consequently, the disposal of missiles and related major parts including launchers will be carried out *in situ* and, if possible, it will be done concomitantly with the initial on-site inspection process. Those items not disposed of immediately will be secured, sealed and appropriately documented for later disposal. Furthermore, items such as warheads and fuel might be moved to a special destruction location or facility and disposed of there.

14. As regards repair and production facilities, many of them appear no longer operational as a result of the hostilities. The Special Commission will ascertain the extent to which these facilities are permanently affected, with a view to determining what other steps, if any, are necessary to comply with paragraph 9 (b) (ii) of the resolution.

15. In order to carry out the responsibilities regarding this category of weapons and related facilities, the Special Commission will require individuals with expertise in such fields as launching and guidance systems, propellants and warheads. Teams of experts will be needed to conduct both the on-site inspections and the supervision of the disposal process. The number of teams and their exact composition is currently under study.

2. Chemical weapons

16. As regards chemical weapons, in view of the practical problems inherent in their destruction, including possible safety and environmental hazards, the Special Commission, in consultation with WHO, has focused its attention on determining the best methods for their disposal. Taking into account the paramount importance of maintaining acceptable safety standards for the disposal teams and for the local population, the Special Commission will identify and evaluate safe destruction techniques that could be made operable within stringent time-frames.

17. Given the danger chemical weapons represent, their disposal will be initiated only after thorough on-site inspection and assessment of the conditions of stocks and facilities. In this connection, the Special Commission has requested the inspection teams to mark munitions and relevant facilities, to the extent possible, with tamper-indicating devices. In addition, the Special Commission foresees monitoring, between the time of the inspections and the disposal process, by inspectors at relevant locations.

18. The disposal methods will involve neutralization and/or incineration. Movement of chemical weapons and agents will be minimized. In this connection the Special Commission is investigating the use of transportable or mobile destruction equipment. The Special Commission may also consider the possibility of the construction of a destruction facility which would have greater capacity than that offered by transportable or mobile equipment. In this and other options the question of costs will need to be kept under review.

19. As regards research, development, support and manufacturing facilities in connection with chemical weapons, information available to the Special Commission at present suggests that a number of them may have been destroyed as a result of the hostilities. Upon establishing firm data the Special Commission will determine its requirements, both in terms of equipment and human resources, for complying with provisions of paragraph 9 (b) of resolution 687 (1991).

3. Biological weapons

20. In the area of biological weapons, it is noted that, in accordance with paragraph 7 of Security Council resolution 687 (1991), Iraq has become a party to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction. 1/ The Government of Iraq deposited, on 8 April, its instrument of ratification in Moscow.

21. However, as required by the Security Council in its resolution 687 (1991), the Special Commission is seeking to determine whether Iraq possesses any biological weapons-related items that should be disposed of pursuant to the resolution and whether there remains in Iraq a capability to produce such weapons that would also be subject to disposal. In this context,

the Special Commission has brought to the attention of the Government of Iraq the report of the Ad Hoc Meeting of Scientific and Technical Experts from States Parties to the Biological Weapons Convention held at Geneva from 31 March to 15 April 1987 and contained in document BWC/CONF.II/EX/2 of 21 April 1987 and has requested the information called for in section II of that report.

22. Biological warfare agents can be destroyed through either standard laboratory equipment or special mobile units.

4. Nuclear weapons-related items

23. In the area of nuclear-weapons-usable material and related items and facilities, the Special Commission will assist IAEA in the removal of weapons-usable material from Iraq and in the disposal of all other relevant items and facilities covered by resolution 687 (1991), by removal or destruction as appropriate.

24. An inspection team, composed of experts from IAEA and the Special Commission, is currently in Iraq to carry out a first inspection based on declarations by the Government of Iraq and the designation by the Special Commission of additional locations. Further inspections will follow prior to the disposal of weapons-usable-material and other items subject to paragraph 12 of resolution 687 (1991).

C. Monitoring and verification of compliance

25. The third stage of the plan represents a long-term operation. Its main purpose is to ensure ongoing monitoring and verification of Iraq's compliance with paragraphs 8, 9, 10 and 12 of resolution 687 (1991). A detailed plan as called for in paragraph 10 of resolution 687 (1991), will be submitted to the Security Council for its approval, subsequent to the establishment of a complete database. In developing the plan, the Special Commission will also take into account the provisions for permitted activities in the framework of the Biological Weapons Convention and by the monitoring/verification methods under discussion in the context of a future Convention on the Prohibition of Chemical Weapons. With the eventual entry into force of such a Convention, the inspectorate envisaged in it should at an appropriate time take over the function of monitoring and verification of compliance in the area of chemical weapons.

26. The verification will be conducted through full and effective on-site inspections including those on short notice. The inspections will cover, as appropriate, military bases, production facilities and storage, as well as research facilities and laboratories. The frequency of on-site inspections will vary considerably for each category of weapons, facilities and activities in question. It will be contingent on previous findings and also on Iraq's clear and continuous demonstration of compliance with resolution 687 (1991).

II. GENERAL CONCEPT OF OPERATIONS

27. The Special Commission, under the guidance of its Executive Chairman, will use a small staff at United Nations Headquarters in New York to prepare detailed plans for field operations in Iraq with regard to all items related to chemical and biological weapons and to ballistic missiles, and together with IAEA with regard to items related to nuclear weapons and nuclear-weapons-usable materials. The plans will describe the composition of teams of experts, drawn from a number of countries, and their movements and activities in Iraq - whether survey, inspection or disposal. The teams will assemble for briefing at the field office in Bahrain and move by dedicated aircraft to Baghdad or some other point-of-entry in Iraq. Vehicles or rotary-winged aircraft will be used to move the teams within Iraq to the sites concerned. Teams will leave the area via Bahrain following debriefing and initial analysis of any samples or data collected in Iraq.

Notes

1/ General Assembly resolution 2826 (XXVI).

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Security Council

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GENERAL

S/22615
17 May 1991

ORIGINAL: ENGLISH

Note by the Secretary-General

The Secretary-General has the honour to submit to the members of the Security Council the attached letter addressed to him under paragraph 13 of Security Council resolution 687 (1991) by the Director General of the International Atomic Energy Agency (IAEA), and its enclosure containing a plan for the destruction, removal and rendering harmless of items specified in paragraph 12 of that resolution.

Annex

Letter dated 16 May 1991 from the Director General of the International Atomic Energy Agency (IAEA) addressed to the Secretary-General

Under paragraph 13 of Security Council resolution 687 (1991), the Director General of the IAEA is requested, through the Secretary-General of the United Nations, to develop within forty-five days of the adoption of the resolution a plan for the destruction, removal and rendering harmless of the items specified in paragraph 12 of the resolution.

May I accordingly kindly ask you to submit the attached plan to the Security Council.

(Signed) Hans BLIX

Enclosure

Plan for the destruction, removal and rendering harmless of the items specified in paragraph 12 of Security Council resolution 687 (1991)

Introduction

1. Paragraph 13 of Security Council resolution 687 (1991) inter alia requests the Director General of IAEA through the Secretary-General, with the assistance and cooperation of the Special Commission ... to develop a plan for submission to the Security Council within 45 days calling for the destruction, removing or rendering harmless of all items listed in paragraph 12 of the resolution.

2. In order to implement the actions required of the Agency pursuant to paragraphs 12 and 13 of the resolution, the Director General of IAEA established on 15 April 1991 an action team placed under the direction of an Agency Deputy Director General and composed of a Deputy Director for Administration and Management and a Deputy Director for Operations.

3. The Agency established contact with the Special Commission set up by the Secretary-General following the approval by the Security Council on 19 April 1991 of the Secretary-General's report submitted to it in document S/22508. Assistance and cooperation is being rendered by the Special Commission and certain modalities for this cooperation have been agreed upon.

Immediate on-site inspection

4. On 18 April 1991, the Government of Iraq submitted to the Director General of IAEA a declaration required by paragraph 12 of resolution 687 (1991). Further information was provided on 27 April 1991.

5. The first on-site inspection, based on the Iraqi declaration to IAEA and additional designations by the Special Commission, started on 15 May 1991. The inspection team on this occasion was headed by a Chief Inspector appointed by IAEA and consisted of 34 persons, including Agency officials and experts as well as representatives and other personnel of the Special Commission. The team's expertise covers all areas of nuclear technology as well as supporting specialties such as radiation protection, explosive ordnance disposal, communications and field security.

The plan

Nuclear-weapons-usable material

6. Nuclear-weapons-usable material or, as it is referred to in Agency practice, "direct-use material" a/ cannot be destroyed or rendered harmless in

Iraq. The Agency will have to take exclusive control of this material for custody and removal from Iraq pursuant to paragraph 12. This is considered to be the foremost task to be undertaken. Known amounts of direct-use material, located in the Tuwaltha area and listed in the Iraqi statement of 27 April 1991, are contained in fresh or irradiated fuel assemblies. Part of this material appears to be stored in accessible conditions. The on-site inspection, which is now under way, is verifying declared quantities and conditions of this material. Further direct-use material, according to the Iraqi declaration, consisting of irradiated fuel assemblies for the IRT 5000 nuclear research reactor, is buried under the rubble of the reactor building. In all probability, a complex and costly decommissioning operation will be needed to render this material accessible for removal and disposal.

7. Following the preliminary on-site verification now under way of the existence of irradiated direct-use material in the damaged reactor building, it is intended to begin the early removal of easily accessible direct-use material, the decommissioning of the building and the removal of the irradiated fuel assemblies, once their accessibility is achieved.

8. In the event that any additional sites are designated by the Special Commission under paragraphs 9 (b) (ii) and 13 of resolution 687 (1991) further inspections will be carried out.

9. The Agency will take custody, through the application of Agency verification, containment and surveillance methods, of the direct-use material in Iraq. Agency safeguards will be applied to all direct-use material removed from Iraq.

10. Negotiations with countries possessing the technology for the transportation and storage of direct-use material to ascertain their willingness to receive this material are under way. Consideration is being given to various options for the long-term disposal or rendering harmless of this material.

Other items subject to paragraph 12 of resolution 687 (1991)

11. The declaration of Iraq listed only direct-use material and a yellow-cake production unit. Inspection of sites for other items subject to paragraph 12 of resolution 687 (1991) that may be designated by the Special Commission will aim to determine if such items exist and, if so, to remove, destroy or render them harmless.

12. Identification of research, development, support or manufacturing facilities and materials relevant or connected to reprocessing of irradiated fuel and isotopic enrichment of uranium will be given priority as they are capable of producing additional direct-use material.

Notes

a/ Direct-use material is nuclear material that can be converted into nuclear explosives components without transmutation or further enrichment, as for instance plutonium containing less than 80 per cent plutonium-238, high-enriched uranium (HEU) (uranium enriched to 20 per cent uranium-235 or more) and uranium-233.

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Security Council

Distr.
GENERAL

S/22616
20 May 1991

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling its resolution 637 (1989) of 27 July 1989, in which it ..nt its full support to the Secretary-General for the continuation of his mission of good offices in Central America,

Recalling also the Geneva Agreement of 4 April 1990 and the Caracas Agenda of 21 May 1990 concluded between the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional,

Deeply concerned at the persistence of and the increase in the climate of violence in El Salvador, which seriously affects the civilian population, and thus stressing the importance of the full implementation of the San Jose Agreement of 26 July 1990 on human rights between the two parties,

Welcoming the Mexico Agreements of 27 April 1991 between the two parties,

Having considered the reports of the Secretary-General (S/22031, S/22494 and Corr.1 and Add.1),

Commending the Secretary-General and his Personal Representative for their efforts at good offices and expressing its full support for their continuing efforts to facilitate a peaceful settlement to the conflict in El Salvador,

Underlining the great importance that the Council attaches to the exercise of moderation and restraint by both sides to ensure the security of all United Nations-employed personnel as well as to the adoption by them of all other appropriate and necessary measures to facilitate the negotiations leading to the achievement of the objectives set forth in the Geneva and other above-mentioned agreements as soon as possible, including their full cooperation with the Secretary-General and his Personal Representative to this end,

Recognizing the right of the parties to determine their own negotiating process,

Calling upon both parties to pursue the current negotiations urgently and with flexibility, in a concentrated format on the items agreed upon in the Caracas Agenda, in order to reach, as a matter of priority, a political agreement on the armed forces and the accords necessary for the cessation of the armed confrontation, and to achieve as soon as possible thereafter a process which will lead to the establishment of the necessary guarantees and conditions for reintegrating the members of the Frente Farabundo Martí para la Liberación Nacional within a framework of full legality, into the civil, institutional and political life of the country,

Expressing its conviction that a peaceful settlement in El Salvador will contribute to a successful outcome in the Central American peace process,

1. Approves the report of the Secretary-General (S/22494 and Corr.1 and Add.1);

2. Decides to establish, under its authority, and based on the Secretary-General's report referred to in paragraph 1 above, a United Nations Observer Mission in El Salvador to monitor all agreements concluded between the two parties, whose initial mandate in its first phase as an integrated peace-keeping operation, will be to verify the compliance by the parties with the San Jose Agreement, and also decides that the subsequent tasks or phases of the Observer Mission will be subject to approval by the Council;

3. Also decides that the United Nations Observer Mission in El Salvador shall be established for an initial period of twelve months;

4. Requests the Secretary-General to take the necessary measures to establish the first phase of the Mission as described in paragraphs 2 and 3 above;

5. Calls upon both parties, as agreed by them, to pursue a continuous process of negotiations in order to reach at the earliest possible date the objectives set forth in the Mexico Agreements and all other objectives contained in the Geneva Agreement, and to this end to cooperate fully with the Secretary-General and his Personal Representative in their efforts;

6. Requests the Secretary-General to keep the Council fully informed on the implementation of the present resolution.

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Security Council

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GENERAL

S/22617
18 May 1991

ORIGINAL: ENGLISH

LETTER DATED 17 MAY 1991 FROM THE PERMANENT REPRESENTATIVE OF PORTUGAL TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to Your Excellency herewith the text of the Joint Communiqué of the meeting held in Lisbon on 15 and 16 May 1991, between the representatives of the Government of the Popular Republic of Angola and of UNITA with the presence of the Portuguese mediators and observers from the United States of America and the Union of Soviet Socialist Republics.

I ask Your Excellency to kindly arrange for this letter to be circulated as a document of the Security Council.

(Signed) Fernando REINO
Ambassador of Portugal
Permanent Representative to the
United Nations

Annex

Joint Communiqué

A meeting took place at the Ministry of Foreign Affairs in Lisbon, on 15 and 16 May 1991, with the participation of representatives of the Government of the Popular Republic of Angola and of UNITA, in the presence of the Portuguese mediators and of the observers from both the United States of America and the Union of Soviet Socialist Republics.

The delegations expressed their satisfaction to the fact that the meeting coincided with the communication, made by both parties, to the Prime Minister of Portugal about their acceptance of the Agreements signed in Estoril and with the "de facto" suspension of hostilities.

In this regard they noted with great satisfaction that the Government of the Popular Republic of Angola and UNITA have both confirmed the current general observance of the cessation of hostilities, a factor that is extremely positive to the implementation of the cease-fire.

The mediators have informed the participants at the meeting that the two parties have also notified the Prime Minister of Portugal about their wish that Portugal, France and the United Kingdom could participate in the formation of the Angolan Armed Forces.

During the meeting the question of the participation of the United Nations in the observance of the cease-fire was discussed and the delegations agreed to request the Security Council for its support to the process, which is part of the Estoril Agreements and thus providing the necessary means to its full implementation. Furthermore, the participants also discussed the logistic aspects of setting up the structures established by the Estoril Agreements, as well as general aspects related to the formal signature of the Agreements, which will take place in Lisbon, on 31 May 1991, with the presence of the President of the Popular Republic of Angola, Mr. José Eduardo dos Santos and of the President of UNITA, Mr. Jonas Malheiro Savimbi.

Lisbon, 16 May 1991

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Security Council

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GENERAL

S/22618
18 May 1991
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 17 MAY 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Acting on instructions from my Government, I have the honour to inform you that United States aircraft continue to violate Iraqi airspace as indicated hereafter:

1. On 15/16 May 1991 they carried out a total of 12 sorties, 5 in formation and 2 solo sorties.

2. The aircraft were concentrated over the regions of Mosul, Dohuk and Zakho, their mission being one of observation and provocation.

I should be grateful if you would have the text of this letter circulated as a Security Council document.

(Signed) Abdul Amir AL-ANBARI
Ambassador
Permanent Representative

91-16187 2364h (E)

UNITED
NATIONS

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Security Council

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GENERAL

S/22619
18 May 1991
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 17 MAY 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Acting on instructions from my Government, I have the honour to inform you that United States aircraft continue to violate Iraqi airspace as indicated hereafter:

1. On 14/15 May 1991 they carried out five sorties into Iraqi airspace, two in formation and one solo sortie.

2. The aircraft were concentrated over the northern region of Iraq and came from Turkey, their mission being one of reconnaissance and provocation.

I should be grateful if you would have the text of this letter circulated as a document of the Security Council.

(Signed) Abdul Amir AL-ANBARI
Ambassador
Permanent Representative

91-16193 2485d (E)

UNITED
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Security Council

Distr.
GENERAL

S/22620
20 May 1991

ORIGINAL: ENGLISH

LETTER DATED 17 MAY 1991 FROM THE SECRETARY-GENERAL
ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

With reference to my report dated 2 May 1991 regarding paragraph 3 of Security Council resolution 687 (1991) (S/22558), I would like to inform you that the Iraq-Kuwait Boundary Demarcation Commission has been established as follows and it is envisaged that the first meeting of the Commission will take place on Thursday, 23 May 1991, at 11 a.m.

The three independent experts appointed by me are Professor Mochtar Kusuma-Atmadja, former Minister for Foreign Affairs of Indonesia, as Chairman; Mr. Ian Brook of Swedsurvey, Sweden; and Mr. William Robertson, Chief Executive, Department of Survey and Land Information, New Zealand. I have been informed that Iraq will be represented by Ambassador Riyadh Al-Qaysi and that Kuwait will be represented by Dr. Tariq A. Razouki.

(Signed) Javier PEREZ de CUELLAR

91-16327 2366h (E)

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General Assembly Security Council

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A/46/181
S/22621
20 May 1991
ENGLISH
ORIGINAL: ARABIC

GENERAL ASSEMBLY
Forty-sixth session
Item 35 of the preliminary list*
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Forty-sixth year

Letter dated 20 May 1991 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

Upon instructions from my Government I have the honour to inform you that Israel has again forcibly expelled Palestinians to Lebanese territory in an illegal manner across the international frontier, using for that purpose the so-called "security zone" it occupies in southern Lebanon in order to implement its aggressive policy.

On Saturday afternoon, 18 May 1991, an Israeli military helicopter transported four Palestinians from the occupied Gaza strip to the so-called "security zone" in southern Lebanon, whence they were taken in two civilian cars to the Lebanese army checkpoint at Marj el-Zouhour in the southern Bekaa Valley. The names and ages of the expelled Palestinians are: Jamal Yassine (33), Mouin Mohamad Moussallem (31), Hashem Dahlan (31) and Jamal A. Abou Jdayan (33).

The Lebanese Government vigorously condemns the Israeli policy of expelling and deporting Palestinians, which is contrary to article 49 of the fourth Geneva Convention, which prohibits the forcible deportation of civilians from occupied territory, and reiterates its objection to the violation by Israel of Lebanese sovereignty and territory by its practices which are counter to the Charter of the United Nations and the laws of human rights, and in particular, Security Council resolutions 607 (1988), 608 (1988), 636 (1989) and 641 (1989).

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* A/46/50.

Furthermore, the Lebanese Government is concerned to draw the attention of the international community to the fact that, at a time when it is endeavouring to extend its authority to all its territory by applying the document of national conciliation, Israel is doing its utmost to obstruct the progress of salvation within Lebanon through its aggressive acts and its illegal practices. This makes it necessary to redouble efforts to enforce Security Council resolution 425 (1978), which calls upon Israel to withdraw and the Lebanese Government to extend its authority to its international boundaries.

I should be grateful if you would have this letter circulated as a document of the General Assembly, under item 35 of the preliminary list, and of the Security Council.

(Signed) Khalil MAKKAWI
Ambassador
Permanent Representative

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/22622
20 May 1991
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 19 MAY 1991 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you of the continued violation of Iraqi airspace by United States aircraft, as follows:

First,

1. American air activity on 13/14 May 1991 amounted to six sorties flown by three formations.

2. The aircraft flew mainly over the areas of Zakho, Dohuk and Mosul, for the purpose of observation and provocation.

Second,

1. American air activity within Iraqi airspace for 16/17 May 1991 amounted to three sorties flown by a formation of two aircraft and one individual sortie at a speed of 720 kilometres per hour.

2. The aircraft flew mainly over the area to the east of Dohuk, for the purpose of observation and provocation.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Abdul Amir A. AL-ANBARI
Ambassador
Permanent Representative

91-16384 2394e (E)